



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: NAGY et al.

Serial No.: 10/001,934

ART UNIT: 1643

Filed: November 15, 2001

Entitled: HUMAN POLYPEPTIDES CAUSING  
OR LEADING TO THE KILLING OF  
CELLS INCLUDING LYMPHOID  
TUMOR CELLS

EXAMINER: K. Canella

**IN ISSUE**

Atty. Docket No.: GPC-259.3 US

**Mail Stop ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith are:

- 1) Response to Notice To File Corrected Application Papers;
- 2) Copy of Notice To File Corrected Application Papers issued 12/30/08; and
- 3) a return receipt postcard, for filing in the above-captioned patent application.

**[X]** The Commissioner is hereby authorized to charge payment of any fees required in connection with the paper(s) transmitted herewith to Deposit Account No. 50-0268.

Respectfully submitted,

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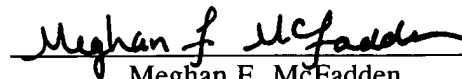


### CERTIFICATE OF MAILING

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February 6, 2009

date

  
Meghan F. McFadden



U.S. Appln. No. 10/001,934  
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**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Sir:

This paper is filed in response to the Notice To File Corrected Application Papers issued December 30, 2008 and setting a two-month period for response.

A Notice of Allowance issued in this application on November 17, 2008.

Amendments to the Specification are shown on page 2.

Applicants' Remarks begin on page 3.



AMENDMENTS TO THE SPECIFICATION

On page 40, lines 7 to 14, please delete the paragraph beginning, "Figure 16. *In vivo* effect of the human anti-DR mAb . . .", and replace it with the following new paragraph:

--Figure 16. Figures 16A-E show the *in vivo* effect of the human anti-DR mAb 1D09C3 in lymphoma xenograft models.

Figure 16A shows survival of SCID mice injected s.c. with the non-Hodgkin lymphoma line GRANTA-519. MAb dose was 3x1 mg/mouse given on days 5, 7, and 9. Seven mice in the control and five in each mAb treated group.

Figure 16B shows the effect of mAb on subcutaneous tumor growth. Same experiment as in Figure 16A.

Figure 16C shows the effect of mAb on disease incidence in SCID mice injected i.v. with GRANTA-519. MAb was administered i.v., 3x as above. Six mice were in each group.

Figure 16D shows representative tumor size in untreated mice.

Figure 16E shows representative tumor size in mice treated with mAb.--



**REMARKS**

Applicants are in receipt of a Notice To File Corrected Application Papers issued December 30, 2008 and setting a two-month period for response. A Notice of Allowance issued in this application on November 17, 2008.

In the Notice to File Corrected Application Papers the Examiner states,

"Figures 16A and 16B are present in the drawings filed May 16, 2005, but are not described in the Brief Description in the specification filed November 15, 2001 (page 40 lines 7-14)."

A copy of the Notice is enclosed herewith.

Applicants submit herewith an amendment to the Specification, specifically the description of Figure 16 as it appears in the Brief Description of the Drawings on page 40, lines 7-14, to include a separate description of Figures 16A through 16E to satisfy the requirement of the Notice.

Applicants have added a description of Figures 16D and 16E, to this section. Support for this amendment may be found in the specification on page 70, lines 26 and 27.

No new matter is added by the amendments. Entry of the amendments is respectfully requested without withdrawing this application from issue.

Respectfully submitted,

Leon R. Yankwich (Reg. No. 30,237)  
David G. O'Brien (Reg. No. 46,125)  
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**CERTIFICATE OF MAILING**

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February 6, 2009  
date

Meghan F. McFadden



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FEB 09 2009

GPC-259.3US

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/001,934

11/15/2001

Zoltan Nagy

GPCG-P01-003

8886

28120 7590 12/30/2008  
ROPES & GRAY LLP  
PATENT DOCKETING 39/41  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624

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**JAN 05 2009**

ROPES & GRAY LLP - IP DOCKETING  
REFERRED TO \_\_\_\_\_  
NOTED BY \_\_\_\_\_

EXAMINER

CANELLA, KAREN A

ART UNIT

PAPER NUMBER

1643

MAIL DATE

DELIVERY MODE

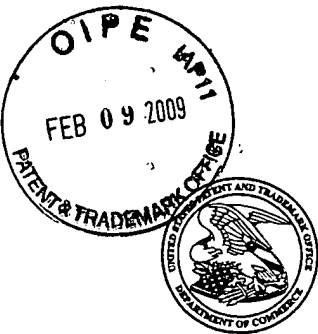
12/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Resp/Corrected Appl.  
Papers due  
JAN 16 2009  
28-Feb-09



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Serial No. : 10001934  
Applicant : Nagy  
Filing Date : 11/15/01  
Date of Notice : 12/30/08

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### *Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 months from the date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. **This period for reply is NOT extendable under 37 CFR 1.136(a).**

Figures 16A and 16B are present in the drawings filed May 16, 2005, but are not described in the Brief Description in the specification filed Nov. 15, 2001 (page 40 lines 7-14).

*A copy of this notice **MUST** be returned with the reply. Please address response to  
"Mail Stop Issue Fee, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450".*

*Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.*

/Don Fairchild/  
Don Fairchild  
Office of Data Management  
Phone: 703-308-9250, ext. 126